

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 2:06cr169-WKW
)	
JAMES CALVIN TALLEY)	

MOTION FOR A FINAL ORDER OF FORFEITURE

The United States of America (United States), by its undersigned counsel, respectfully submits its Motion for a Final Order of Forfeiture in the above-entitled case and states as follows:

1. On December 21, 2007, this Court entered a Preliminary Order of Forfeiture (Doc. # 478) ordering defendant James Calvin Talley to forfeit the following property to the United States:

Thirty Thousand One Hundred Forty One and 84/100 Dollars (\$30,141.84) in United States currency seized from Mutual Savings Credit Union account in the name of James C. Talley, Jr. On April 14, 2006.

2. On January 9, 2008, notice of this forfeiture was served on John Robinson by the United States Marshals Service (Doc. # 502);

3. On January 11, 2008, notice of this forfeiture was served upon Amy Williams, secretary for Attorney Amy Hayes Naylor, by the United States Marshals Service (Doc. # 500);

4. Notice of this forfeiture notifying all third parties of the intent of the United States to dispose of the property in accordance with the law as specified in the Preliminary Order of

Forfeiture, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property was published in the Montgomery Advertiser newspaper on January 31 and February 7 and 14, 2008; additionally, notice of this forfeiture was posted on an official government internet site (www.forfeiture.gov) for a period of 30 consecutive days, beginning on January 7, 2008, and ending on February 5, 2008, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims (Doc. # 566);

6. No petition of interest has been filed on behalf of any third-party. Therefore, any third-party interests are barred by failure of those parties to file a timely petition.

Accordingly, the United States respectfully requests that this Court enter the proposed Final Order of Forfeiture filed herewith.

Respectfully submitted this 19th day of March, 2008.

LEURA G. CANARY
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on March 19, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Respectfully submitted,

/s/Tommie Brown Hardwick
TOMMIE BROWN HARDWICK
Assistant United States Attorney